

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition-Ananthapur District-Uravakonda Mandal –Mylarampalli Village-
Sy.No. 180 Extent 8.05 acres acquired for foreshore submersion of PABR Dam-
Award No. 11/94d dt:17.3.94 Orders passed by the Lower Court in O.P.No. 4/97,
Dt: 31.01.2005-A.S.No. 907/05, Dt: 31.12.2007-Payment of enhanced
compensation-Sanction of decretal charges of Rs. 6,25,540/--Orders Issued.

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 783

Dated:13 -10-2009

Read the following:-

1. From the District Collector, Anantapur of Lr.Rc. No.G2/1534/2009.
Dated 07.04.2009
2. From the CCLA, Hyderabad Lr.No. G4/518/2009 dated: 06.7.2009.

ORDER:

The District Collector, Ananthapur and the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in the references 1st and 2nd read above has stated that the lands in Sy.No. 180, Extent 8.05 acres (1/4th Share) of Mylarampalli village of Uravakonda Mandal of Anantapur District were acquired for foreshore submersion of PABR in Award No. 11/94 dt.17.03.94. The compensation amount of Rs. 91,873/- was paid to the awardees. Aggrieved the market value fixed by the Land Acquisition Officer, the claimants who received the compensation under protest and requested the Land Acquisition Officer to refer the matter to Civil Court U/s 18 of the L.A .Act. Accordingly the matter was referred to Civil Court and the case was numbered as **O.P.No.4/97**. The Civil Court in its orders dated 31.01.2005 passed orders in **O.P.No.4/97** enhancing the land value in Sy. No.167-D1 Extent 7.67 acres (1/4th share) of land value fixed as Group -1 at Rs.19,500/- per acre and Rs.9,750/- per acre of 0.38 cents and also directed to pay solatium at 30% and to pay Addl. Market value 12% p.a.on the enhanced amount from 6.5.93 to 25.3.94 and to pay interest on the aggregate of enhanced market value, Solatium and Addl. Market value at 9% p.a. for a period of one year from the date of award and at 15% p.a thereafter till the date of realization and again the petitioner filed an appeal before Hon'ble High Court of AP Hyderabad against the Lower Court Judgment, as the enhancement is 62% . The Hon'ble High Court of A.P, Hyderabad has finally passed orders on 31-12-2007 in AS No.907/2005. The Appeal is allowed in part, directing the compensation to be paid by complying with the capitalization method for 1560 pomegranate trees standing on the land of an extent 0.36 cents is confirm the value at Rs. 9,759/- per acre also decree of the Lower Court shall stand confirmed in all other aspects.

2. After Careful examination of the matter Government hereby accord sanction for an amount of Rs. 6,25,540/- (Rupees Six Lakhs Twenty Five Thousands Five hundred and forty only) towards final decretal charges in respect of O.P.No.4/97, dt: 31-01-2005 pertaining to Mylarampalli (V), Uravakonda (M) of Ananthapur District subject to verification whether the reference under section18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the District Collector should verify the calculations made

(P.T.O)

by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

3. The District Collector, Ananthapur District is directed to follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P.No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No. 4/97 for avoiding intervention of the middlemen.

4. The expenditure sanctioned in para (3) above may be debited to the following Head of Account under " 4701-COL on Major and Medium Irrigation, 01-Major ;Irrigation (Commercial); MH.104 TBP HLC Stage-II; G.H. 11-Normal State Plan; S.H. (27) Canals and Distributaries; 530- Major works; 532-Lands (Charges". In case, the available budget provision is not sufficient to meet the present requirement the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This order issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No. 21340/812/Exp. PW I/09, Dated: 18.8.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,
SECRETARY TO GOVERNMENT

To

The Secretary to the CCLA, A.P. Hyderabad

The District Collector, Ananthapur District

The Chief Engineer, Minor Irrigation, Hyderabad

The Special Deputy Collector, LA, HLC, Ananthapur

The Revenue Divisional Officer, Ananthapur

The Superintending Engineer, I & CAD, Ananthapur

The Director of Works Accounts, Hyderabad

Copy to:

P.S.to Minister (M & MI)

Law Dept/Finance (W &P) Dept/C.No. 17278/L.A.II(2)/07

S.F/S.Cs

//FORWARDED BY ORDER//

SECTION OFFICER